

**REMARKS**

Applicants hereby traverse the current rejections, and request reconsideration and withdrawal in light of the remarks contained herein. Claims 1-2 and 5-31 are pending in this application.

**Rejection under 35 U.S.C. § 103**

Claims 1-2 and 5-31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,363,404 to Dalal et al. (hereinafter “Dalal”) in view of U.S. Patent No. 6,362,817 to Powers et al. (hereinafter “Powers”).

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art cited must teach or suggest all the claim limitations. *See* M.P.E.P. § 2143. Without conceding the second criteria, Applicants assert that the rejection does not satisfy the first and third criteria.

**Lack of Motivation**

The Office Action admits that Dalai does not teach having a camera position. The Office Action attempts to cure this deficiency by introducing Powers, which the Office Action alleges to teach having such elements. The motivation for making the combination was presented as follows:

“It would have obvious ... , in view of the teaching of Powers, to configure Dalai’s systems as claimed because Powers’ 3D perspective images correspondence with a camera position can be used for showing the object in Dalai’s system for a realistic representation of a perspective projection.”

It is well settled that the fact that references can be combined or modified is not sufficient to establish a prima facie case of obviousness, M.P.E.P. §2143.01. Dalai already has a system that shows a realistic representation of a perspective projection, see column 7,

lines 43-54 of Dalai. Consequently, Dalai does not need the teaching of Powers, and the motivation statement fails to state any desirability to combine Dalai and Powers. Thus, the motivational language is merely a statement that the reference can be modified. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. In re Mills, 916 F.2d 680, 16 USPQ.2d 1430 (Fed. Cir. 1990), as cited in M.P.E.P. §2143.01. Thus, the motivation provided by the Examiner is improper, as the motivation must establish the desirability for making the modification.

No valid suggestion has been made as to why a combination of Dalai and Powers is desirable. Therefore, the rejection of claims 1-2 and 5-31 should be withdrawn.

#### Lack of All Limitations

The Office Action admits that Dalai does not teach having a camera position. The Office Action attempts to cure this deficiency by introducing Powers, which the Office Action alleges to teach having such elements. However, this combination, as presented, does not teach or suggest all limitations of the claimed invention.

Claim 1 defines a collaborative graphical viewing system that includes a markup module which allows graphical markup items to be created and associated with a camera position. The combination of Dalai and Powers do not disclose at least these limitations. The Office Action concedes that Dalai does not disclose a camera position, and relies upon Powers. However, Powers does not disclose this limitation either. Powers merely discloses rendering a three dimensional environment where “pop-up” elements are presented in relation to the “closeness” of the user to a particular object, see col. 13, lines 35-60 of Powers. However, defining a closeness parameter to control presentation of a pop-element does not teach or suggest creating and associating graphical markup items with a camera position. Thus, the combination of Dalai and Powers does not teach all of the claimed limitations. Therefore, the Applicants respectfully assert that for the above reasons claim 1 is patentable over the 35 U.S.C. § 103(a) rejection of record.

Claim 7 defines a method for maintaining persistence of graphical markup items in a collaborative graphics environment which includes associating graphical markup items

created by a user to a camera position. The combination of Dalai and Powers do not disclose at least these limitations. The Office Action concedes that Dalai does not disclose a camera position, and relies upon Powers. However, Powers does not disclose this limitation either. Powers merely discloses rendering a three dimensional environment where “pop-up” elements are presented in relation to the “closeness” of the user to a particular object, see col. 13, lines 35-60 of Powers. However, defining a closeness parameter to control presentation of a pop-element does not teach or suggest associating graphical markup items to a camera position. Powers also discloses in column 8, lines 56-66, several components of a typical computer system. However, this disclosures also does not teach or suggest associating graphical markup items to a camera position. Thus, the combination of Dalai and Powers does not teach all of the claimed limitations. Therefore, the Applicants respectfully assert that for the above reasons claim 7 is patentable over the 35 U.S.C. § 103(a) rejection of record.

Claim 13 defines a computer readable storage medium tangibly embodying program instructions implementing a method for maintaining persistence of graphical markup items in a collaborative graphics environment, the method comprising the steps of associating graphical markup items created by a user to a camera position. The combination of Dalai and Powers do not disclose at least these limitations. The Office Action concedes that Dalai does not disclose a camera position, and relies upon Powers. However, Powers does not disclose this limitation either. Powers merely discloses rendering a three dimensional environment where “pop-up” elements are presented in relation to the “closeness” of the user to a particular object, see col. 13, lines 35-60 of Powers. However, defining a closeness parameter to control presentation of a pop-element does not teach or suggest associating graphical markup items to a camera position. Powers also discloses in column 8, lines 56-66, several components of a typical computer system. However, this disclosures also does not teach or suggest associating graphical markup items to a camera position. Thus, the combination of Dalai and Powers does not teach all of the claimed limitations. Therefore, the Applicants respectfully assert that for the above reasons claim 13 is patentable over the 35 U.S.C. § 103(a) rejection of record.

Claim 19 defines a system that includes a collaboration module for creating a user defined annotation of said three dimensional model to be displayed for a single predefined

camera position, wherein said collaboration module stores said user defined annotation and said single predefined camera position such that, when said three dimensional model is subsequently viewed according to said single predefined camera position, said user defined annotation is displayed. The combination of Dalai and Powers do not disclose at least these limitations. The Office Action concedes that Dalai does not disclose a camera position, and relies upon Powers. However, Powers does not disclose this limitation either. Powers merely discloses rendering a three dimensional environment where “pop-up” elements are presented in relation to the “closeness” of the user to a particular object, see col. 13, lines 35-60 of Powers. However, defining a closeness parameter to control presentation of a pop-element does not teach or suggest a collaboration module for creating a user defined annotation of said three dimensional model to be displayed for a single predefined camera position. Powers also discloses at column 14, lines 24-58 a spot file format that uses single text characters to represent 3D blocks. However, this disclosures also does not teach or suggest a collaboration module for creating a user defined annotation of said three dimensional model to be displayed for a single predefined camera position. Thus, the combination of Dalai and Powers does not teach all of the claimed limitations. Therefore, the Applicants respectfully assert that for the above reasons claim 19 is patentable over the 35 U.S.C. § 103(a) rejection of record.

Claim 25 a method that comprises storing said received annotation and said predefined camera position, receiving a request to display of a second view of said three dimensional model according to a requested camera position, generating said second view of said three dimensional model by said CAD application for display according to said requested camera position, and only when said requested camera position matches said predefined camera position, displaying said annotation. The combination of Dalai and Powers do not disclose at least these limitations. The Office Action concedes that Dalai does not disclose a camera position, and relies upon Powers. However, Powers does not disclose this limitation either. Powers merely discloses rendering a three dimensional environment where “pop-up” elements are presented in relation to the “closeness” of the user to a particular object, see col. 13, lines 35-60 of Powers. However, defining a closeness parameter to control presentation of a pop-element does not teach or suggest the method as claimed. Powers also discloses at column 14, lines 24-58 a spot file format that uses single text characters to represent 3D blocks. However, this disclosures also does not teach or

suggest the method as claimed. Thus, the combination of Dalai and Powers does not teach all of the claimed limitations. Therefore, the Applicants respectfully assert that for the above reasons claim 25 is patentable over the 35 U.S.C. § 103(a) rejection of record.

### Conclusion

Claim 1 has also been amended to correct a minor typographical error. Claim 1 has been amended only for this purpose, and not for the purpose of narrowing its scope in the face of prior art. No new matter has been added by these amendment.

The title has also been amended to correct a typographical error. Specifically, the spelling of "Persistance" has been corrected. No new matter has been added by these amendment.

For all the reasons given above, the Applicants submit that the pending claims distinguish over the prior art of record under 35 U.S.C. § 103. Accordingly, the Applicants submit that this application is in full condition for allowance.

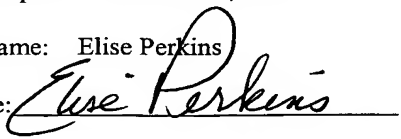
Applicants respectfully request that the Examiner call the below listed attorney if the Examiner believes that such a discussion would be helpful in resolving any remaining problems.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-2025, under Order No. 100037778-3 from which the undersigned is authorized to draw.

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Label No. EV482726230US in an envelope addressed to: M/S Amendment, Commissioner for Patents, Alexandria, VA 22313.

Date of Deposit: December 8, 2005

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Respectfully submitted,

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